

**MAIL STOP PATENT
APPLICATION**
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: MEIP122170

TRANSMITTAL LETTER

Seattle, Washington 98101

March 19, 2004

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) by Express Mail is the complete patent application of Toshitaka Shimomura, Shingo Nihommori, Miyako Mizutani, Eric Herbert Altendorf, and Joseph Daniel Tobiason, entitled OPTICAL CONFIGURATION FOR IMAGING-TYPE OPTICAL ENCODERS, executed on March 16, 2004.

- X 1. This application is a continuation-in-part application of U.S. Patent Application Serial No. 10/776,899, filed February 11, 2004, the filing date and priority of which is hereby claimed under 35 U.S.C. § 120. U.S. Patent Application No. 10/776,899 claims priority from Japanese Patent Application No. 2003-034284, filed February 12, 2003, under 35 U.S.C. § 119. The key content of U.S. Patent Application No. 10/776,899 is included herein, and it is otherwise incorporated herein by reference in its entirety.
- X 2. An application consisting of 73 pages of specification, including the claims and the Abstract of the Disclosure, and 28 sheets of drawings is attached.
- X 3. A newly executed Combined Declaration and Power of Attorney is attached.
- X 4. An Assignment of the invention to Mitutoyo Corporation is enclosed, together with a Recordation Cover Sheet in accordance with 37 C.F.R. § 3.31 and our check including the amount of \$40.00 to cover the recordation fee. Please record this Assignment in accordance with 37 C.F.R. § 3.11.

COMPUTATION OF FEE

	Number Filed		Number Extra		Rate	
Basic Fee						770
Total Claims	44 - 20	=	24	x	18	= 432
Independent Claims	5 - 3	=	2	x	86	= 172
Assignment Recordation				+	40	40
TOTAL						\$1,414

- X 5. Our Check No. 154434 in the amount of \$1,414 to cover the total fee as computed above is enclosed.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
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- X 6. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 03-1740. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application. A copy of this document is enclosed.
- X 7. A filing date in accordance with 37 C.F.R. § 1.10 is requested. The Express Mail Certificate appears below.

Please address all further correspondence to:

Customer No. 26389

CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue, Suite 2800
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Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



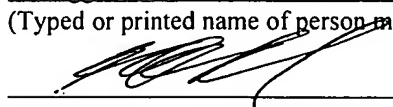
Shoko I. Leek
Registration No. 43,746
Direct Dial No. 206.695.1780

EXPRESS MAIL CERTIFICATE

Express Mail No.: EL 974023992 US
Date of Deposit: March 19, 2004

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregg Peria-Hansen
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(Signature of person mailing paper or fee)

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